

FILED 10 FEB 12 08:06 USDC ORN

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MIKE MILLER,
Plaintiff,
v.
AQUA GLASS, INC.,
Defendant.

ORDER

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Although no objections have been filed, this court reviews the legal principles *de novo*. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (9th Cir. 1983).

I have given this matter *de novo* review. I find no error in the Report and Recommendation.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#52) is adopted. Defendant's motion for partial judgment on the pleadings (#46) is DENIED.

IT IS SO ORDERED.

DATED this 11 day of February, 2010.



OWEN M. PANNER
U.S. DISTRICT JUDGE